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EXAMINER
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ASHBURN, STEVEN L

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

09/981,084

Applicant(s)

GLAVICH ET AL. *fw*

Examiner

Steven Ashburn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 20 is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 21-26 is/are rejected.
- 7) ☐ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## ***DETAILED ACTION***

### ***Specification***

Claims 1-26 are objected to. MPEP § 608.01(m) states,

Claims should preferably be arranged in order of scope so that the first claim presented is the least restrictive. All dependent claims should be grouped together with the claim or claims to which they refer to the extent practicable.

In this case, the claims are not arranged in order of scope so that the first claim is least restrictive. More specifically, claim 1 is more restrictive than claim 8, 13 and 15. Furthermore, all dependent claims are not grouped together with the claims to which they refer. In particular, claims 19 and 20 are not grouped together with the claims 15-17. Instead, the chain of dependency is broken by independent claim 18. No correction is required.

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b). Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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Claims 8, 9, 11, 13-15 and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-72 of U.S. Patent No. 6,439,995 B1 in view of *The Canonical List of TPiR Pricing Games* and UK Patent Application 2,144,644 A to Barrie (Mar. 29, 1984) (“*Barrie*”).

In regard to claim 8, 13, 15 and 24: The ‘995 Patent describes all the features of the except the following:

- a. Providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group.
- b. Terminating the bonus game if the player picks a termination outcome.

Although the ‘995 Patent does not describe these features, they are merely different types of game outcomes which are known in the art. As shown below, it would have been obvious to an artisan to modify *Sphinx* to include additional types of game outcomes known in similar games of chance.

Regarding the win-group outcome, *Pricing Games* describes the games of chance played on the television game show THE PRICE IS RIGHT during the 1970’s and 1980’s. The “Master Key” game provides an analogous selection game in which a player selects symbols from a group containing a plurality of hidden outcomes. *See p. 5*. Several symbol are associated with a single award within the group. Additionally, one symbol provides the player all the awards in the group. *See id.* Hence, the claimed feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group is known.

It is known in the art of gaming to adapt features from television game shows into gaming devices for several reasons. First, game shows offer games of change which are proven to be entertaining, successful, and easy for players to understand. Second, adapting game show features allow

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players to participate in familiar games which they could not otherwise participate without traveling to a television studio. Third, adapting game shows into gaming devices allows cross-marketing of products to consumers. Furthermore, it a common goal in the art to provide new and different gaming devices games which will make the game more attractive to consumers and more profitable for vendors

In view of *Pricing Games*, it would have been obvious to an artisan at the time of the invention to modify bonus game claimed by the '995 Patent, wherein a player picks selections from a plurality of groups, to add the feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group. As suggested by the description in *Pricing Games*, the modification would enhance the gaming device by heightening a player's anticipation that his selection may result in receiving all the award group instead of merely a single award and thereby provide a more entertaining and profitable gaming device.

Regarding the terminating outcome, it is known in the art to have a selection game including a group of hidden awards associated with player selections wherein one of the player selections terminates the game. In particular, *Barrie* discloses an analogous selection game in which a player advances through a plurality of rounds. The game symbols include an outcome which terminates the game. *See p. 1, lines 55-69, p. 2, lines 23-76*. Hence, it is known in the art to have a multi-round selection game in which each round includes a group of selections wherein one of the selections is terminates the bonus game.

In view of *Barrie*, it would have been obvious to one in the art at the time of the invention to modify the bonus game described by the '995 Patent, wherein a player participates in a multi-round selection game, to add the feature of terminating the bonus game if the player picks a termination outcome. As suggested by the description of *Barrie*, the modification would enhance the gaming device by heightening a player's anticipation that his selection may either end the game or allow him to continue on for a greater prize and thereby provide a more entertaining and profitable gaming device. *See p. 1, lines 55-83*. Furthermore, the modification would enhance the gaming device by increasing the odds that

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the game will terminate with each subsequent round and thereby allow vendors to offer a greater award to successful players. *See id.*

Regarding claim 9: *Barrie* additionally describes including a termination outcome associated with at least one of the symbols in the plurality of groups. *See p. 1, lines 55-69, p. 2, lines 23-76.*

In regards to claim 11: The '995 Patent describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by the '995 Patent in view of *Pricing Games* and *Slomiany*, wherein a plurality of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in a plurality of the groups.

Regarding claim 14: *Barrie* additionally teaches having a separate move outcome associated with at least one symbol in a plurality of groups. *See p. 1, lines 74-82, p. 2, lines 23-76.*

Claims 1-7, 9, 12, 16, 17, 21-23, 25 and 26 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-72 of U.S. Patent No. 6,439,995 B1 in view of *Pricing Games* and *Barrie*, in further view of U.S. Patent 6,159,098 to Slomiany (Dec. 12, 2000) ("*Slomiany*").

Regarding claims 1, 9, 12, 21, 22, 25, 26: The gaming device suggested by the '995 Patent in view of *Pricing Games* and *Barrie* describes all the features of the instant claims except providing an achievement outcome if the player picks one selection in each group without picking any selection having a termination outcome. Although *Sphinx* does not describe an achievement outcome, the feature is

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merely another types of game outcomes which are known in the art. As discussed below, it would have been obvious to an artisan to modify gaming device suggested by the *Sphinx* in view of *Pricing Games* and *Barrie* to include this features.

*Slomiany* discloses an analogous multi-round bonus game in which the player is awarded large award if he completes a plurality of rounds without selecting a terminating symbol. *See fig. 8; col. 8:31-54*. As illustrated in figure 9, the feature enhances the multi-round bonus game by allowing it to offer a high value award and thereby makes the game attractive to players.

In view of *Slomiany*, it would have been obvious to one in the art at the time of the invention to modify the bonus game described by the '995 Patent, wherein a player participates in a multi-round bonus game, to add the feature of providing an achievement outcome if the player picks one selection in each group without picking any selection having a termination outcome. As suggested by the description in *Slomiany*, the modification would enhance the multi-round bonus game by allowing it to offer a high value award and thereby make the game attractive to players.

In regard to claim 2: The '995 Patent describes a bonus game having a plurality of selection groups. *Pricing Games* teaches having a win-group outcome associated with a symbol in a group of symbols. Hence, the gaming device suggested by the '995 Patent in view of *Pricing Games* and *Slomiany*, wherein a bonus round includes a plurality of groups, suggests including a win-group outcome associated with at least one of the symbols in a plurality of groups.

In regard to claim 3: The '995 Patent describes a bonus game having a plurality of selection groups. *Pricing Games* teaches having a win-group outcome associated with a symbol in a group of symbols. Hence, the gaming device suggested by the '995 Patent in view of *Pricing Games* and

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*Slomiany*, wherein each bonus round includes a group of symbols, suggests including a win-group outcome associated with at least one of the symbols in a each of the groups.

In regard to claim 4: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group.

In regards to claim 5: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group not previously selected by a player. More specifically, *Pricing Games* explains that a player may make more than one selection from a group of symbols. Only one of the selections is a win-group outcome. Hence, in the circumstance that the player's first selection is not a win-group outcome and the second selection is a win-group outcome, then the outcome will include all the values not previously selected by the player.

In regards to claim 6: The '995 Patent describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by the '995 Patent in view of *Pricing Games* and *Slomiany*, wherein a plurality of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in a plurality of the groups.

Regarding claim 7: The '995 Patent describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by the '995 Patent in view of *Pricing Games*, *Barrie* and *Slomiany*, wherein each of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in each of the groups.



Regarding claim 16: *Slomiany* additionally teaches a termination condition being a predetermined number of symbols being selected by the player (e.g. 10). *See fig. 8; col. 8:31-54.*

Regarding claim 17: *Slomiany* additionally teaches a termination condition being a predetermined total accumulation of bonus values provided to the player. *See id.*

Regarding claim 19: *Pricing Games* additionally suggests displaying the values associated with a selected symbol after the processor determines the selected symbol is associated with a win-group symbol. *See id.*

In regards to claim 22: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group. Hence, the multi-round game described by *Sphinx* in view of *Pricing Games*, *Barrie* and *Slomiany*, in which there are multiple groups, suggests a win-group outcome in each group including all the bonus values associated with symbols in the group.

In regards to claim 23: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group not previously selected by a player. More specifically, *Pricing Games* explains that a player may make more than one selection from a group of symbols. Only one of the selections is a win-group outcome. Hence, in the circumstance that the player's first selection is not a win-group outcome and the second selection is a win-group outcome, then the outcome will include all the values not previously selected by the player.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 11, 13-15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sphinx Brochure, Atronic Casino Technology, Ltd. (1997) ("*Sphinx*") in view of *The Canonical List of TPiR Pricing Games* and UK Patent Application 2,144,644 A to Barrie (Mar. 29, 1984) ("*Barrie*").

*Sphinx* describes a gaming device having a multi-tier bonus game.

In regard to claim 8, 15 and 24: *Sphinx* describes the following features:

- a. A plurality of groups of symbols.
- b. A plurality of bonus values associated with the symbols.
- c. A display device which displays the symbols.
- d. A processor in communication with the display device which enables a player to select on symbol in each group and provides the player with the bonus values associated with the selected symbols. Notably, *Sphinx* describes a video slot game and it is implicit that the device includes a processor for controlling the display.

However *Sphinx* does not describe the following claimed features:

- a. Providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group.
- b. Terminating the bonus game if the player picks a termination outcome.

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Although *Sphinx* does not describe these features, they are merely different types of game outcomes which are known in the art. As shown below, it would have been obvious to an artisan to modify *Sphinx* to include additionally types of game outcomes known in other games to *Sphinx*.

Regarding the win-group outcome, *Pricing Games* describes games of chance played on the television game show THE PRICE IS RIGHT. The “Master Key” game provides an analogous selection game in which a player selects symbols from a group containing a plurality of hidden outcomes. *See p. 5*. Several symbols are associated with a single award within the group. Additionally, one symbol provides the player all the awards in the group. *See id.* Hence, *Pricing Games* describes the claimed feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group is known.

It is known in the art of gaming to adapt features from television game shows into gaming devices for several reasons. First, game shows offer games of chance which are proven to be entertaining, successful, and easy for players to understand. Second, adapting game show features allow players to participate in familiar games which they could not otherwise participate without traveling to a television studio. Third, adapting game shows into gaming devices allows cross-marketing of products to consumers. Furthermore, it is a common goal in the art to provide new and different gaming devices games which will make the game more attractive to consumers and more profitable for vendors.

In view of *Pricing Games*, it would have been obvious to an artisan at the time of the invention to modify bonus game described by *Sphinx*, wherein a player picks selections from a plurality of groups, to add the feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group. As suggested by the description in *Pricing Games*, the modification would enhance the gaming device by heightening a player’s anticipation that his selection may result in receiving all the award group instead of merely a single award and thereby provide a more entertaining and profitable gaming device.

Regarding the terminating outcome, *Barrie* discloses an analogous selection game in which a player advances through a plurality of rounds. The game symbols include an outcome which terminates the game. *See p. 1, lines 55-69, p. 2, lines 23-76.* Hence, *Barrie* describes the claimed feature of a multi-round selection game in which each round includes a group of selections wherein one of the selections is terminates the bonus game.

In view of *Barrie*, it would have been obvious to one in the art at the time of the invention to modify the bonus game described by *Sphinx*, wherein a player participates in a multi-round selection game, to add the feature of terminating the bonus game if the player picks a termination outcome. As suggested by the description of *Barrie*, the modification would enhance the gaming device by heightening a player's anticipation that his selection may either end the game or allow him to continue on for a greater prize and thereby provide a more entertaining and profitable gaming device. *See p. 1, lines 55-83.* Furthermore, the modification would enhance the gaming device by increasing the odds that the game will terminate with each subsequent round and thereby allow vendors to offer a greater award to successful players. *See id.*

Regarding claim 9: *Barrie* additionally describes including a termination outcome' associated with at least one of the symbols in the plurality of groups. *See p. 1, lines 55-69, p. 2, lines 23-76.*

In regards to claim 11: *Sphinx* describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by *Sphinx* in view of *Pricing Games* and *Slomiany*, wherein a plurality of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in a plurality of the groups.

In regard to claim 13: *Sphinx* describes all of the features of the claims except the following:

- a. Providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group.
- b. Providing a move outcome associated with at least one symbol in the group wherein the move outcome prevents the player from selecting additionally symbols from a group is selected.

Although *Sphinx* does not describe these features, they are merely different types of game outcomes which are known in the art. As shown below, it would have been obvious to an artisan to modify *Sphinx* to include additionally types of game outcomes known in other games to *Sphinx*.

Regarding the win-group outcome, *Pricing Games* describes the games of chance played on the television game show THE PRICE IS RIGHT. The “Master Key” game provides an analogous selection game in which a player selects symbols from a group containing a plurality of hidden outcomes. *See p. 5*. Several symbol are associated with a single award within the group. Additionally, one symbol provides the player all the awards in the group. *See id.* Hence, *Pricing Games* describes claimed feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group.

It is known in the art of gaming to adapt features from television game shows into gaming devices for several reasons. First, game shows offer games of chance which are proven to be entertaining, successful, and easy for players to understand. Second, adapting game show features allow players to participate in familiar games which they could not otherwise participate without traveling to a television studio. Third, adapting game shows into gaming devices allows cross-marketing of products to consumers. Furthermore, it a common goal in the art to provide new and different gaming devices games which will make the game more attractive to consumers and more profitable for vendors

In view of *Pricing Games*, it would have been obvious to an artisan at the time of the invention to modify bonus game described by *Sphinx*, wherein a player picks selections from a plurality of groups, to add the feature of providing a win-group outcome associated with at least one symbol in a group wherein the win-group outcome includes a plurality of values in a group. As suggested by the description in *Pricing Games*, the modification would enhance the gaming device by heightening a player's anticipation that his selection may result in receiving all the award group instead of merely a single award and thereby provide a more entertaining and profitable gaming device.

Regarding the move-outcome, *Barrie* discloses an analogous selection game in which a player advances through a plurality of rounds. The game symbols include a move-outcome which advances the player to the subsequent group and prevents players from selecting additional symbols in the current group. *See p. 1, lines 74-82, p. 2, lines 23-76.*

In view of *Barrie*, it would have been obvious to one in the art at the time of the invention to modify the bonus game described by *Sphinx*, wherein a player participates in a multi-round selection game, to add the feature of a move outcome to the bonus game. As suggested by the description of *Barrie*, the modification would enhance the gaming device by heightening a player's anticipation that his selection may either end the game or allow him to continue on for a greater prize and thereby provide a more entertaining and profitable gaming device. *See p. 1, lines 55-83.*

Regarding claim 14: *Barrie* additionally teaches having a separate move outcome associated with at least one symbol in a plurality of groups. *See p. 1, lines 74-82, p. 2, lines 23-76.*

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Claims 1, 10, 12, 21, 22, 25, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sphinx* in view of *Pricing Games* and *Barrie*, as applied to claims 8, 9, 11, 13-15 and 24 above, in further view of U.S. Patent 6,159,098 to Slomiany (Dec. 12, 2000) ("*Slomiany*").

Regarding claims 1, 10, 12, 21, 25, 26: The gaming device suggested by the *Sphinx* in view of *Pricing Games* and *Barrie* describes all the features of the instant claims except providing an achievement outcome if the player picks one selection in each group without picking any selection having a termination outcome. Although *Sphinx* does not describe an achievement outcome, the feature is merely another type of game outcomes which are known in the art. As discussed below, it would have been obvious to an artisan to modify gaming device suggested by the *Sphinx* in view of *Pricing Games* and *Barrie* to include this features.

*Slomiany* discloses an analogous multi-round bonus game in which the player is awarded large award if he completes a plurality of rounds without selecting a terminating symbol. See fig. 8; col. 8:31-54. As illustrated in figure 9, the feature enhances the multi-round bonus game by allowing it to offer a high value award. Consequently, the game make the game attractive to players.

In view of *Slomiany*, it would have been obvious to one in the art at the time of the invention to modify the bonus game described by the *Sphinx*, wherein a player participates in a multi-round bonus game, to add the feature of providing an achievement outcome if the player picks one selection in each group without picking any selection having a termination outcome. As suggested by the description in *Slomiany*, the modification would enhance the multi-round bonus game by allowing it to offer a high value award and thereby make the game attractive to players.

In regard to claim 2: *Sphinx* describes a bonus game having a plurality of selection groups. *Pricing Games* teaches having a win-group outcome associated with a symbol in a group of symbols.

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Hence, the gaming device suggested by *Sphinx* in view of *Pricing Games* and *Slomiany*, wherein a bonus round includes a plurality of groups, suggests including a win-group outcome associated with at least one of the symbols in a plurality of groups.

In regard to claim 3: *Sphinx* describes a bonus game having a plurality of selection groups. *Pricing Games* teaches having a win-group outcome associated with a symbol in a group of symbols. Hence, the gaming device suggested by *Sphinx* in view of *Pricing Games* and *Slomiany*, wherein each bonus round includes a group of symbols, suggests including a win-group outcome associated with at least one of the symbols in a each of the groups.

In regard to claim 4: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group.

In regards to claim 5: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group not previously selected by a player. More specifically, *Pricing Games* explains that a player may make more than one selection from a group of symbols. Only one of the selections is a win-group outcome. Hence, in the circumstance that the player's first selection is not a win-group outcome and the second selection is a win-group outcome, then the outcome will include all the values not previously selected by the player.

In regards to claim 6: *Sphinx* describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by *Sphinx* in view of *Pricing Games* and *Slomiany*,



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wherein a plurality of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in a plurality of the groups.

Regarding claim 7: *Sphinx* describes a bonus game having a plurality of selection groups. *Slominay* teaches a multi-round bonus game in which each round includes a termination symbol in each of the rounds. Hence, the gaming device suggested by *Sphinx* in view of *Pricing Games* and *Slomiany*, wherein each of bonus round includes a group of symbols, suggests including a termination outcome associated with at least one of the symbols in each of the groups.

Regarding claim 16: *Slomiany* additionally teaches a termination condition being a predetermined number of symbols being selected by the player (e.g. 10). *See fig. 8; col. 8:31-54.*

Regarding claim 17: *Slomiany* additionally teaches a termination condition being a predetermined total accumulation of bonus values provided to the player. *See id.*

Regarding claim 19: *Pricing Games* additionally suggests displaying the values associated with a selected symbol after the processor determines the selected symbol is associated with a win-group symbol. *See id.*

In regards to claim 22: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group. Hence, the multi-round game described by *Sphinx* in view of *Pricing Games*, *Barrie* and *Slomiany*, in which there are multiple groups, suggests a win-group outcome in each group including all the bonus values associated with symbols in the group.

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In regards to claim 23: *Pricing Games* teaches a win-group outcome including all of the bonus values associated with the symbols in a group not previously selected by a player. More specifically, *Pricing Games* explains that a player may make more than one selection from a group of symbols. Only one of the selections is a win-group outcome. Hence, in the circumstance that the player's first selection is not a win-group outcome and the second selection is a win-group outcome, then the outcome will include all the values not previously selected by the player.

#### ***Allowable Subject Matter***

Claims 18 is allowed.

Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Ashburn whose telephone number is 703 305 3543. The examiner can normally be reached on Monday thru Friday, 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9302 for regular communications and 703 872 9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1148.

s.a.  
October 28, 2003

A handwritten signature in black ink, appearing to read 'MS', with a long horizontal flourish extending to the right.

MARK SAGER  
PRIMARY EXAMINER